



ARIZONA STATE BOARD OF PHYSICAL THERAPY
4205 NORTH 7TH AVENUE, SUITE 208 PHOENIX, ARIZONA 85013
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REGULAR SESSION MEETING MINUTES
February 23, 2016

MEMBERS PRESENT:

Melinda Richardson, PT, MA; President
James E. Miller, PT, DPT, Vice President
Al D'Appollonio, PT, MBA; Secretary
Peggy Hunter, PTA, CLT; Member
Nushka Remec, PT, MS, PCS
Michael S. Clinton, CPA; Member

MEMBERS ABSENT:

N/A

OTHERS PRESENT IN PERSON:

Charles D. Brown, Executive Director
Veronica Cardoza, Licensing Administrator
Karen Donahue, Senior Investigator
Mona Baskin, Assistant Attorney General
Monica Crowley, Office Manager

- 1) **CALL TO ORDER – 8:30 a.m.;** Ms. Richardson called the meeting to order at 8:30 a.m. (A recording of the meeting is available through the Board Office)

Roll Call - The following Board members were present: Ms. Richardson, Mr. Clinton, Mr. D'Appollonio, Ms. Remec and Ms. Hunter, Dr. Miller.

2) **Review and Approval of Draft Minutes**

- a) January 26, 2016; Regular Session Meeting Minutes

Dr. Miller requested minor changes to page 11 and 23 of the minutes. Ms. Richardson moved the Board to approve the January 26, 2016, regular session meeting minutes with the suggested changes. Ms. Remec seconded the motion. Dr. Miller abstained himself from this case as he was not present at the January Board meeting. The motion passed.

Vote	Mr. Clinton	Mr. D'Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson
Aye	X	X	X		X	X
Nay						
Recused						

Abstained				X		
Absent						

3) CONSENT AGENDA: REVIEW, CONSIDERATION and ACTION

a) Applications for Licensure and Certification

i) Review, Consideration and Approval of Applications of Physical Therapist Licensure upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript

Laura Baumert	Richard Berry	Sarah Boone
Noel Carter	Justin Chappell	Kimberly Chesney
Ellie Cobb	Rachael Conley	Susan Connell
Calvin Cook	Glenda Costello	Jennifer Derham
Rebekah Doyle	Courtney Ginter	Rebecca Grayson
Sarah Grosel	Margo Herman	Emily Hostetler
Thomas Howell	Lauren Johnson	Gregory Law
Michael Lyght	Monica Ross	Jordan Schaffer
Andrea Marchese	Lisa Melead	Robin Nichols
Thomas Padilla	Jacob Pawol	Kimberlee Pixton
Aaron Poirier	Derek Royslance	Julia Smetane
Charles Stelk	Kari Sweeney	Caitlin Thede
Holly Urban	Emily Zipoy	

Mr. D'Appollonio pulled Lisa Melead from the consent agenda. Ms. Hunter moved the Board approve the above applications upon receipt of passing scores on the NPTE/AZLAW exams and final transcripts Ms. Remec seconded the motion. Following review and discussion the motion passed.

Vote	Mr. Clinton	Mr. D'Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

Lisa Melead

Ms. Melead needs a total of 100 contact hours. Mr. D’Appollonio moved the Board approve Ms. Melead application contingent on proof of the 100 contact hours by Board staff. Dr. Miller seconded the motion. Following review and discussion the motion passed.

Vote	Mr. Clinton	Mr. D’Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

ii) Review, Consideration and Approval of Applications for Physical Therapist Assistant Certification upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript.

Trisha Guerrero	Cynthia Holland	Kimberly Jensen
Nicholas Ksobiech	Paul Anthony Morada	Maria Thiel
Elizabeth Richards		

Ms. Richardson moved the Board approve the above applications upon receipt of passing scores on the NPTE/AZLAW exams and final transcripts Mr. D’Appollonio seconded the motion. Following review and discussion the motion passed.

Vote	Mr. Clinton	Mr. D’Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

Consent Agenda Ends

5) COMPLAINTS, HEARINGS, INVESTIGATIONS and COMPLIANCE

The Board may vote to go into Executive Session pursuant to A.R.S. §38-431.03(A)(2) for purposes of discussing confidential information or §38-431.03(A)(3) to obtain legal advice.

- a) Initial Review, Discussion and Action on Complaint
 - i) Case #15-31; Tonya Becker, PT

Ms. Becker was present and was represented by Mr. Cody Hall. Ms. Donahue provided a summary of the case for the Board Ms. Becker was the defendant in a civil lawsuit in which patient RA alleges substandard care. The Board opened the complaint following notification of settlement agreement of \$70,000. Mr. Hall stated they would answer any questions the Board had. The Board reviewed, discussed the investigation and asked question of Ms. Becker. Dr. Miller moved the Board to issue non-disciplinary order which includes eight hours of continuing education in orthopedic diagnosis and treatment in shoulders to be taken in person preapproved by the Board, six hours of documentation to be taken in person preapproved by the Board and to be completed within six months this is in addition to the normal CE. Ms. Remec seconded the motion. Following review and discussion the motion passed.

Vote	Mr. Clinton	Mr. D'Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

- ii) Case #16-01; Marcus Fluitt, PTA

Mr. Fluitt was present and was not represented by legal counsel. Ms. Donahue provided a summary of the case for the Board. The Board opened complaint 16-02 after Mr. Fluitt, PTA self-reported providing physical therapy services when not being supervised under on-site or general supervision. The Board reviewed, discussed and asked question to Mr. Fluitt. Ms. Richardson moved the Board to dismiss this case. Mr. D'Appollonio seconded the motion. Following review and discussion the motion passed.

Vote	Mr. Clinton	Mr. D'Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson
Aye	X	X	X	X	X	X
Nay						

Recused						
Abstained						
Absent						

Ms. Richardson moved the Board draft a letter to the Arizona Occupational Therapy Board expressing the Boards concerns with the oversite that Ms. Singler provided as it related to the physical therapy statuses and rules. Dr. Miller seconded the motion. Following review and discussion the motion passed.

Vote	Mr. Clinton	Mr. D'Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

- b) Review, Discussion, and Action on Consent Agreement
 - i) 15-12; Kelly DeLong, PT

Ms. DeLong was present and was not represented by legal counsel. Mr. Brown provided a summary of the case to the Board Ms. DeLong (6565) signed Consent Agreement for Complaint #15-12 in which she found to be in violation of ARS 32-2044 (8), ARS 32-2044(8) and ARS 32-2044(14). She agreed to indefinite suspension and agreed to obtain a psychological evaluation. The psychological evaluation has been completed. Ms. DeLong provided a statement. Ms. DeLong asked the Board any further discussion of her psychological evaluation be completed off the record. Mona Baskin, Assistant Attorney General advised the Board regarding the option to go into executive session to discuss Ms. DeLong's medical records. Ms. Hunter moved the Board to enter into Executives session to discuss Ms. DeLong's confidential medical records. Mr. Clinton seconded the motion. Following review and discussion the motion passed.

Vote	Mr. Clinton	Mr. D'Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson
Aye	X	X	X	X	X	X
Nay						

Recused						
Abstained						
Absent						

Executive Session from 9:22 am to 9:32 am.

The Board reviewed and discussed the recommendation given by the psychologist. Ms. Richardson moved the Board to adopt recommendation

#1 - Supervision with a senior, Physical Therapist (or monitor approved by the Board), for at least of six months, to review her cases and ensure safety of the community.

#2 - Participation and completion of a course in ethics. This can be offered as continuing education.

#3 - Individual psychotherapy with a doctoral level psychologist. The therapist should provide quarterly reports to the Board for a period of one year or for a length of time deemed to be appropriate by the therapist.

#4 - Ongoing psychiatric and monitoring for treatment effectiveness, from her PCP or from a psychiatrist suggested by her PCP.

Board feels that they need an update from Ms. DeLong’s PCP and or Therapist regarding the therapeutic effect of the medication she is taking. They need to see evidence of her stability before she can return to practice. Mr. Clinton moved the Board to revisit this case in the next scheduled Board Meeting, continue the suspension for one month for further possible amendment after you receive the initial reports regarding recommendations 3 and 4 of the report. The Board would like to see a report from the therapist and the PCP on Ms. DeLong’s treatment progress, participation, prognosis and safety to practice. Mr. D’Appollonio seconded the motion. Following review and discussion the motion passed.

Vote	Mr. Clinton	Mr. D’Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

The Board recessed from 10:10 am to 10:20 am

6) BOARD BUSINESS AND REPORTS

The Board may vote to go into Executive Session pursuant to A.R.S. §38-431.03(A)(3) to obtain legal advice.

- a) Executive Director’s Report –Verbal Report
- iii) Review of Current Legislative Activity (2016) –
 - (2) HB 2504; Physical Therapy Licensure Compact
 - (1) 2501; Transfer of Health Regulatory Boards

Mr. Brown provided verbal summary on the above topics. No action was taken or required. Cynthia Driskell, PT gave a statement and answered questions regarding the Physical Therapy compact.

- iv) Rule Activity- No update to provide
- v) FSBPT- No update provided
- i) Financial Report- Verbal Report
- ii) Review Recent Board Staff Activities - Verbal Report

Mr. Brown provided verbal review on the above topics. No action was taken or required.

4) Review, Consideration and Action on Applications for Licensure and Certification

- a) Review, Consideration and Approval of Applications for Physical Therapist Assistant Certification upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript and with documentation Related to Disclosure on “Personal Information” section of the application
 - 1) Ashley Branch

Ms. Richardson moved the Board to approve Ms. Branch application upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript. Dr. Miller seconded the motion. Following review and discussion the motion passed.

Vote	Mr. Clinton	Mr. D’Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

10) Jamie Schultz

Ms. Richardson moved the Board to approve Ms. Schultz application upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript. Ms. Hunter seconded the motion. Following review and discussion the motion passed.

Vote	Mr. Clinton	Mr. D'Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

11) Jessica Spencer

Ms. Richardson moved the Board to approve Ms. Spencer application upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript. Mr. Clinton seconded the motion. Following review and discussion the motion passed.

Vote	Mr. Clinton	Mr. D'Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

2) Joseph Castillo

Ms. Richardson moved the Board to approve Mr. Castillo application upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript. Mr. D'Appollonio seconded the motion. Following review and discussion the motion passed.

Vote	Mr. Clinton	Mr. D'Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson
Aye	X	X	X	X	X	X
Nay						

Recused						
Abstained						
Absent						

3) Joseph Clark

Ms. Richardson moved the Board to approve Mr. Clark application upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript. Ms. Remec seconded the motion. Following review and discussion the motion passed.

Vote	Mr. Clinton	Mr. D'Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

4) Marquis Dorn

Ms. Richardson moved the Board to approve Mr. Dorn application upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript. Mr. D'Appollonio seconded the motion. Following review and discussion the motion passed.

Vote	Mr. Clinton	Mr. D'Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

5) Lauren Haynes

Ms. Richardson moved the Board to approve Ms. Haynes application upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript. Ms. Hunter seconded the motion. Following review and discussion the motion passed.

Vote	Mr. Clinton	Mr.	Ms. Hunter	Dr. Miller	Ms. Remec	Ms.
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		D'Appollonio				Richardson
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

6) Christy Peterson-Depert

Ms. Richardson moved the Board to approve Ms. Peterson-Depert application upon verifying caregiver position, Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript. Ms. Hunter seconded the motion. Following review and discussion the motion passed.

Vote	Mr. Clinton	Mr. D'Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

7) Eric Lespron

Ms. Richardson moved the Board to approve Mr. Lespron application upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript. Mr. D'Appollonio seconded the motion. Following review and discussion the motion passed.

Vote	Mr. Clinton	Mr. D'Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

8) Gregory Mitchell

Ms. Richardson moved the Board to approve Mr. Mitchell application upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript. Ms. Hunter seconded the motion. Following review and discussion the motion passed.

Vote	Mr. Clinton	Mr. D'Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

9) Candice Preston

Ms. Richardson moved the Board to approve Ms. Preston application upon Receipt of Passing Scores on the NPTE/AZLAW and Final Transcript. Mr. D'Appollonio seconded the motion. Following review and discussion the motion passed.

Vote	Mr. Clinton	Mr. D'Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

- b) Review of and Possible Action on Application for Physical Therapist Assistant Certification from Applicant Requesting ADA Accommodations.
 - 1) Juan Berumen

Ms. Richardson moved the Board to approve Mr. Berumen ADA Accommodations for time and half and a separate room. Mr. D'Appollonio seconded the motion. Following review and discussion Ms. Richardson amends motion to double time and a separate room. Mr. D'Appollonio seconded the motion. Following review and discussion the motion passed.

Vote	Mr. Clinton	Mr. D'Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson

Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

5) COMPLAINTS, HEARINGS, INVESTIGATIONS and COMPLIANCE

The Board may vote to go into Executive Session pursuant to A.R.S. §38-431.03(A)(2) for purposes of discussing confidential information or §38-431.03(A)(3) to obtain legal advice.

- a) Initial Review, Discussion and Action on Complaint
 - iii) Case #16-02; Raquel Lines, PT

Ms. Lines was not present and was not represented by legal counsel. Ms. Donahue provided a summary of the case for the Board. The Board opened complaint 16-02 after Ms. Lines reported arrest for DUI. Ms. Lines did report the charges within the 10 day notification period. The Board revived and discussed the case. Ms. Hunter moved the Board to dismiss the case. Mr. Clinton seconded the motion. Following review and discussion the motion passed.

Vote	Mr. Clinton	Mr. D'Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson
Aye	X		X	X	X	X
Nay		X				
Recused						
Abstained						
Absent						

- c) Review, Discussion, and Action on Consideration of Termination of Probation
 - i) Kara Koenitzer Tate, PT

Ms. Koenitzer was not present and was not represented by legal counsel. Ms. Hunter moved the Board to approve early termination. Dr. Miller seconded the motion. Following review and discussion the motion passed.

Vote	Mr. Clinton	Mr. D'Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

7) CALL TO THE PUBLIC

No person came forward for the call to the public.

8) ADJOURNMENT

Mr. Clinton moved to adjourn the meeting. Ms. Richardson seconded the motion. The motion carried.

Vote	Mr. Clinton	Mr. D'Appollonio	Ms. Hunter	Dr. Miller	Ms. Remec	Ms. Richardson
Aye	X	X	X	X	X	X
Nay						
Recused						
Abstained						
Absent						

Meeting adjourned at 11:44 a.m.

Prepared by,

Monica Crowley
Office Manager

Approved by,
Al D'Appollonio, PT, MBA